

Interview Summary

Application No.
08/700,216

Applicant(s)
STUFFLEBEAM ET AL.

Examiner
VICTOR BATSON

Group Art Unit
3616

All participants (applicant, applicant's representative, PTO personnel):

(1) VICTOR BATSON

(3) MIKE CARONE

(2) DANIEL J. HULSEBERG

(4) _____

Date of Interview Apr 24, 1998

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: independent claim 1, 10, 34, 58, 70 (08/700225) & independent claims 1 & 11 (08/700217)

Identification of prior art discussed:

Holland (4,688,698), Maury (4469244), & Adams et al. (4,074,830) case: 08/700225

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applications 08/700225 & 08/700216 as amended, define over the prior art of record, however an update search will be performed. The proposed amendment to application 08/700217 defines over the prior art of record however an update search will be performed. Agreement was not reached regarding the double patenting rejection as Applicant believes the rejection is improper as it does not follow the In re Schneller decision since there is not an unjustified timewise extension of the right to exclude, and there is not a potential problem of dual ownership. It is the examiner's position that there does appear to be a problem of dual ownership of the same invention. Applicant agreed to submit written arguments in the next action.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Victor Batson

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.